

ORDINANCE NUMBER 1638

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBERS 1437 AND 1438, BY REDESIGNATING A CERTAIN PROPERTY FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL (CPA-87-01)

WHEREAS, a Comprehensive Plan Map Amendment for this property was considered at public hearings before the Planning Commission on September 22, 1987, and City Council on October 20, 1987, and

WHEREAS, the City Council finds that the application should be approved based on the findings listed below,

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The following findings of fact and conclusions are adopted:

1. Application CPA-87-01 is for a Comprehensive Plan Amendment of a Medium Density Residential designation where currently there is a Low Density Residential designation. Plan Amendment criteria are met by:

- a. Conformance with the Comprehensive Plan goals, policies and spirit:

Pages 3-5 of the Applicant's Addendum reference Plan goals, policies and objectives that support this proposal. On page 23, in paragraph 2, the Plan indicates policies used to allow "flexibility to accommodate change in housing demand, consumer habits and recreational needs". The Housing Goal Statement on page 24 calls for "the development of new housing to meet the housing needs of local residents and the larger metropolitan housing market". On page 26, Objective #2 states "a range of housing types is encouraged".

- b. Public Need for the change:

The PSU-Center for Population Research and Census has indicated Clackamas County's population could increase from the 1980 census level of 241,919 to as much as 360,168 by the year 2005. PSU indicates this high of a growth rate (49%) has been in effect for Clackamas County since 1960.

These population projections basically agree with figures provided by Metro, which are those generally used for planning purposes by local jurisdictions. Portland State University projects the population of residents age 60 and over to grow from 37,727 in 1986 to 51,907 in 2000. Total growth will be from 248,200 in 1986 to 335,100 in 2000.

Therefore, growth in the 60+ age group would be 14,180, or 16.3% of total growth between 1986 and 2000.

Figures are not available to show what percentage of this growth would occur within Milwaukie. Current projections from PSU show Milwaukie population as increasing from 17,931 in 1980 to approximately 19,820 by the year 2000. This increase of 1889 people does not consider expansion of the City by annexation. It is based entirely on in-filling and as such is subject to considerable change as annexation does occur.

Because Statewide Planning Goals require retention of resource lands, the bulk of housing for the population growth expected will have to occur in urban and urbanizable areas, such as Milwaukie.

Currently, according to data received from the Apartment Data Center and Spectrum Consulting and Management in Portland, multi-family vacancy rates in the past 6 months have been ranging between 3-7% for the Milwaukie area. Milwaukie's vacancy rates are the lowest within the Metropolitan area according to the Apartment Data Center. Vacancy rates of 5% or less are generally considered to be an indication of full occupancy (See Exhibits 22 & 23 of Sept. 8, 1987). These low vacancy rates indicate a public need exists for additional multi-family units.

At present, only 21.97 acres of vacant multi-family designated land is within the City of Milwaukie and 18.77 acres of this has development constraints (See Exhibit 21 of Sept. 8, 1987). This in itself does suggest a shortage of such designated lands since a recent buildable lands inventory update indicates that the City has provide equal potential since 1980 for single-family detached and multi-family unit development. However, redesignation of some areas with natural resource concerns may lessen the 21.97 acres considerably. Such would provide need for a re-evaluation of all multi-family designated lands.

c. Public need is best served by this particular change:

Staff has inventoried vacant multi-family designated lands in Milwaukie. Basically, only 21.97 acres are currently vacant and designated either Medium or High Density Residential. Of these, 18.77 acres have development constraints, 10.77 acres are not available (part of the Waverley Greens Apartments ownership), and the bulk are smaller sites without proper area to support the desired project density (up to 160 units). (This information is contained in Exhibit 21.) This indicates a shortage exists of vacant multi-family designated properties.

The proposed site is not an in-filling into, or a part of, an established residential neighborhood, but does border existing

residential to the south and east of Rusk Road. As such, it will act as a buffering site between Hwy. 224 (to the north) and residential areas (to the south). Multi-dwelling unit complexes are regularly used as transitional uses between highways and lower density areas or commercial sites and lower density areas.

Additionally, although Objective #2, page 25, of the Comprehensive Plan, indicates higher density residential should be located "so that the concentration of people will help support public transportation service and major commercial centers", locational standards are only provided in the Plan for High Density developments.

Objective #2 also states housing types of higher density should be located "to lessen the impact of through traffic on single-family areas". Traffic from this site will not pass through single-family areas.

- d. The change will not adversely affect the health, safety and welfare of the community:

In this case, Staff interprets the issues of health, safety and welfare to relate to public facility adequacy and availability.

Letters from utility providers have indicated adequate capacities for service of this site. Other public facility issues are discussed as follows:

(1) Traffic and Pedestrian Movement - Street improvements needed to meet traffic capacity and design standards are listed on Exhibit 6 from Clackamas County (since Rusk Road and Kellogg Creek Drive are County roads). The Applicant has agreed verbally to extend a sidewalk along the north side of Kellogg Creek Drive into North Clackamas Park to the Senior Center (in order to facilitate pedestrian access). The Applicant is also undertaking a traffic study of the intersection of Rusk Road and Kellogg Creek Drive and of proposed access points into Kellogg Creek Drive. Improvements will be required of the Applicant to comply with concerns raised in this study.

(2) Emergency Fire and Medical Response - This area is recognized as receiving substandard response times from City Fire Department apparatus. Such response times could not improve without development of a new station site. On-site sprinkling, fire lanes and new fire hydrant placement would significantly reduce fire threat for multi-family housing.

(3) Emergency Dispatch - Both the City Police and Fire Departments indicate medium density development could impact emergency dispatching to the point where additional staff may be required over time. Such will have to be addressed through the City's budget process.

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(4) Flood control - A portion of the 100 year floodplain (flood fringe) extends into the center of subject property in addition to following the course of Mt. Scott Creek. A separate flood permit process administered by the City Public Works Director will be required for this. This process normally accompanies building permit review. Engineering data needs to be provided at that time as assurance that the fill proposed can be mitigated entirely on-site via flood detention means. (Note: This would be required of any proposal to insure that fill on this site does not promote increased flooding potential for adjacent sites such as the Senior Center).

CONCLUSIONS:

1. The Comprehensive Plan Amendment proposed to the City of Milwaukie Medium Density Residential designation conforms with the Goals, policies, and spirit of the Comprehensive Plan.
2. Public need is met by this proposal.
3. Public need is best satisfied by this particular request.
4. This request will have not adverse effects on the health, safety, and welfare of the community.

Section 2. Plan Map Amendment. Figure 6 of Ordinance Number 1437 is amended by changing the Land Use Plan Map designation for subject property as depicted on Map Exhibit "A" from Low Density Residential to Medium Density Residential.

Read the first time on October 20, 1987, and moved to second reading by 5 - 0 vote of the City Council.

Read the second time and adopted by the City Council on October 20, 1987.

Signed by the Mayor on October 20, 1987.

Roger Hall
Roger Hall, Mayor

ATTEST:

Jerri Widner
Jerri Widner, City Recorder

Approved as to form:

Greg Eades
Greg Eades, City Attorney

